

## Message Text

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12

ACTION EB-11

INFO OCT-01 EUR-25 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

      DOTE-00 INR-11 NSAE-00 RSC-01 FAA-00 DRC-01 L-03 /062 W

----- 008845

R 132032Z SEP 74

FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC 4481

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EO 11652 NA

TAGS EAIR CA

SUBJ CIVAIR-NONSCHEDULED AIR SERVICES

REFS (A) STATE 181398; (B) STATE 200604

1. EMBASSY SENT NOTE AUGUST 27 TO EXTAFB WHICH WILL NOT REPLY UNTIL IT KNOWS VIEWS OF AIR TRANSPORT COMMITTEE (ATC). GREATER PART OF THREE ATC MEETINGS THIS MONTH HAVE BEEN DEVOTED TO ISSUE, BUT TCO HAS BEEN UNABLE TO GET INDICATION OF DIRECTION IN WHICH IT IS LEANING. THERE IS, HOWEVER, STRONG STAFF SUPPORT IN ATC FOR MAINTENANCE PRESENT POLICY ON LEGALISTIC GROUNDS THAT ALL THESE CONTRACT CARRIERS AND TRAVEL CLUB OPERATIONS ARE COMMERCIAL IN FACT, AND, AS SUCH, MUST BE LICENSED. (ONE OFFICIAL INDICATED SEVERAL US CONTRACT CARRIERS MAKE AVERAGE OF 7-8 WEEKLY FLIGHTS AND SOMETIMES UP TO 15 IN PEAK PERIODS.) EXEMPT LIST EMPLOYED IN PAST REGARDED AS OF DUBIOUS LEGAL STATUS. OUR STAFF CONTACTS THUS EMPHASIZED DESIGNATION AS PREREQUISITE TO LICENSING. EMBASSY WILL ADVISE FURTHER AS SOON AS MORE DEFINITE INDICATION OF VIEWS RECEIVED.

2. IN MEANTIME, ATC ACTION ON APPLICATION OF LINEBACKER SPORTSLINER TRAVEL CLUB, SOUTH BEND, INDIANA, FOR FLIGHT TO FLIN FLON, MANITOBA SEPTEMBER 21, LIMITED OFFICIAL USE

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IS DEFERRED UNTIL CONSIDERATION BROADER ISSUES

COMPLETED. WE HAVE BEEN UNABLE TO GET LINEBACKER APPLICATION SEPARATED FROM BROADER ISSUES, EVEN THOUGH FLIGHT WOULD TAKE PLACE BEFORE OCTOBER 15 DEADLINE.

3. NUMBER OF COMMERCIAL OPERATORS WITH SMALL AIRCRAFT (SECOND SENTENCE PARAGRAPH 2 REF. B) NOT GIVEN IN TEXT AS RECEIVED BY EMBASSY.

4. COMMENT: NOT ONLY ATC BUT ALL OTHER COMMITTEES OF CANADIAN TRANSPORT COMMISSION (CTC) HAVE BECOME INCREASINGLY LEGALISTIC IN RECENT YEARS AND VERY MUCH CONCERNED ABOUT POSSIBILITY THEIR ACTIONS BEING CHALLENGED IN COURTS BY ADVERSELY AFFECTED ECONOMIC INTERESTS AND BY PUBLIC INTEREST GROUPS. IN PRACTICE, THIS HAS NOT OCCURRED ON SCALE CHARACTERISTIC OF US SCENE BUT CTC PERSONNEL VERY CONSCIOUS POSSIBILITY OF SUCH ACTIONS AND BECOMING QUITE CONSERVATIVE IN DEVELOPMENT OF REGULATIONS AND DECISION OF CASES. MINISTRY OF TRANSPORT AND OTHER AGENCIES FIND THIS QUITE FRUSTRATING AND REFORM OF CTC IS BEING CONSIDERED WITHIN GENERAL TRANSPORT POLICY REVIEW EXERCISE UNDERWAY (SEE OTTAWA A-319, JULY 6, 1974).  
PORTER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** SUPPLEMENTAL AIRLINES, AVIATION AGREEMENTS, AVIATION REGULATIONS, AIR ROUTES, LICENSES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 13 SEP 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** garlanwa  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
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**Disposition Reason:**  
**Disposition Remarks:**  
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